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17 UNITED STATES DISTRICT COURT  
18 DISTRICT OF HAWAII

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Vincent N. Micone, III<sup>1</sup>, Acting  
Secretary of Labor, United States  
Department of Labor,

Plaintiff,  
v.

Acme Pumping Services, Inc., et al.

Defendants.

Case No. 1:20-cv-00397-WRP

PLAINTIFF ACTING  
SECRETARY'S FIFTH STATUS  
REPORT

On February 12, 2025, the Court issued an order directing the parties,  
Plaintiff Acting Secretary of Labor Vincent N. Micone, III (“Acting Secretary”),  
and Defendants Acme Pumping Services, Inc. et al., (“Defendants”), to continue to

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Vincent N. Micone, III is substituted in for Julie A. Su, who resigned on January 20, 2025.

1 meet and confer regarding Plaintiff’s pending motion for order to show cause. ECF  
2 No. 104. The Court also ordered Plaintiff and Defendants to “each file separate  
3 status reports regarding any resolution of the issues in the Motion and noting any  
4 remaining issues.” *Id.* (emph. in original). Plaintiff’s counsel emailed Defendants’  
5 counsel regarding Plaintiff’s written offer to resolve the pending contempt motion  
6 on January 21, 2025 and then called Defendants’ counsel to discuss the terms in  
7 more detail.<sup>2</sup> Thereafter, Plaintiff’s counsel emailed Defendants’ counsel on  
8 January 29, 2025; February 4, 2025; and February 14, 2025 to reiterate that  
9 Defendants must respond to the Acting Secretary’s January 21, 2025 offer to resolve  
10 the pending contempt motion. Plaintiff’s counsel has received no email or phone  
11 call from Defendants’ counsel since January 21, 2025.

26 <sup>2</sup> Plaintiff's counsel emailed Defendants' counsel at [lawhi@yahoo.com](mailto:lawhi@yahoo.com) which is  
27 the same email address that Defendants' counsel has used since this matter was  
28 first filed. Defendants' counsel has used this email address to respond to email  
from Plaintiff's counsel in the past including as recently as January 17, 2025.